

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

JERRY RAY FRANCIS, Jr.,

Petitioner,

v.

Case No. 2:04-cv-836
JUDGE FROST
Magistrate Judge KING

PAT HURLEY, Warden,

Respondent.

OPINION AND ORDER

On August 3, 2005, the Magistrate Judge issued a *Report and Recommendation* recommending that this action be dismissed. Petitioner has filed objections to the Magistrate Judge's *Report and Recommendation*. Petitioner objects to all of the Magistrate Judge's recommendations. He raises all of the same arguments that were previously raised.

Pursuant to 28 U.S.C. 636(b)(1), this Court has conducted a *de novo* review of those portions of the *Report and Recommendation* objected to by petitioner. For the reasons discussed at length in the *Report and Recommendation*, petitioner's objections are **OVERRULED**.

The *Report and Recommendation* is hereby **ADOPTED AND AFFIRMED**. This case is **DISMISSED**.

/s/ Gregory L. Frost
GREGORY L. FROST
United States District Judge